

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: Original
POSITION: Neutral

BILL NUMBER: AB 2676
AUTHOR: Asm Labor and Employment

BILL SUMMARY: Unemployment insurance: use of information.

This bill would authorize the Employment Development Department (EDD) to provide information to the Agricultural Labor Relations Board (ALRB) for use in the investigation and enforcement of the Agricultural Labor Relations Act (ALRA).

FISCAL SUMMARY

The EDD indicates that the costs related to implementing the provisions of this bill would be minor and absorbable, and that associated costs would be reimbursable from the ALRB to the EDD.

The ALRB anticipates the cost of reimbursing the EDD for the provision of the requested information would be offset by cost savings from reduced time and travel by ALRB agents while continuing to enforce the ALRA efficiently.

Any local government costs resulting from the mandate in this measure would not be state-reimbursable because the mandate only involves the definition of a crime or the penalty for conviction of a crime.

COMMENTS

The Department of Finance is neutral on this bill because the provision of increased access to information compiled by the EDD provided to the ALRB would facilitate investigation and enforcement of the ALRA. Further, the bill could lead to increased efficiencies by reducing the amount of workload and travel for ALRB agents.

Existing law establishes the ALRB to be responsible for investigating, prosecuting, and adjudicating unfair labor practice disputes, and conducting secret ballot elections so farm workers in California may decide whether to have a union represent them in collective bargaining with their employers. The EDD collects wage data and other employment-related information that could assist enforcement efforts of the ALRB and reduce the amount of time to compute and disperse monetary remedies to employees. Current law restricts the EDD's release of information and specifies the entities to whom it may release the information.

This bill would authorize the EDD to provide information to the ALRB including, but not limited to, employee, wage, and employer information for use in the investigation or enforcement of the Agricultural Labor Relations Act, to the extent permitted by federal statutes and regulations. The ALRB contends that cases have faced delays because of difficulties in calculating backpay and other forms of relief. Currently, the ALRB has a memorandum of understanding with EDD to receive limited types of data, but is restricted from introducing the information into evidence in hearings because of confidentiality restrictions. According to the author's office, allowing the ALRB access to wage and other information will expedite its compliance activities.

Analyst/Principal (0241) J.Morozumi	Date	Program Budget Manager Lisa Ann Mangat	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

Asm Labor and Employment

Original

AB 2676

	SO	(Fiscal Impact by Fiscal Year)					
Code/Department	LA	(Dollars in Thousands)					
Agency or Revenue	CO	PROP					Fund
Type	RV	98	FC	2011-2012 FC	2012-2013 FC	2013-2014	Code
7100/EDD	SO	No		----- See Fiscal Summary -----			0995
7300/Ag Labor Rel	SO	No		----- See Fiscal Summary -----			0001
<u>Fund Code</u>			<u>Title</u>				
0001			General Fund				
0995			Reimbursements				